

State of New York
Supreme Court, Appellate Division
Third Judicial Department
518-471-4777

SESSION CALENDAR FOR WEDNESDAY, FEBRUARY 16, 2022

1:00 P.M. SESSION

E A P R R E C E

BENCH POSITION: REYNOLDS FITZGERALD, J., AARONS, J., EGAN JR., J.P., PRITZKER, J., CERESIA, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(1)	531036	ALCANTARA v ANNUCCI Appellant/Respondent - Brian D. Ginsberg, Esq. AG Letitia James (Anthony J. Annucci) Respondent/Appellant - Kyle Mathews, Esq. Wilkie Farr & Gallagher, LLP (Richard Alcantara, et al.)	10 10
(2)	111099	PEOPLE v ROBERT LADUKE Appellant - Matthew C. Hug, Esq. (Robert Laduke) Respondent - Emily Schultz, Esq. P. David Soares, Albany County District Attorney	10 10
(3)	533507	MIZENKO v INTERTECH DIGITAL ENTERTAINMENT Appellant - Scott Kagan, Esq. Hurwitz & Fine (Intertech Digital Entertainment) Respondent - Christopher P. Meyer, Esq. Law Office of Edward P. Ryan (Michael Mizenko)	10 10
(4)	532089	McCARTHY CONCRETE v BANTON CONSTR. CO. Appellant - Antonino M. Leone, Esq. Hinckley Allen & Syner, LLP (Banton Construction Company) Respondent - Thomas J. Donlon, Esq. Robinson & Cole, LLP (McCarthy Concrete, Inc.)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(5)	532764	TESTANI v RUSSELL & RUSSELL, LLC Appellant - Christopher A. Powers, Esq. Mackenzie Hughes LLP (Rocco J. Testani, et al.) Respondent - James P. Evans, Esq. Barclay Damon, LLP (National Life Group) Respondent - Matthew Tracy, Esq. Winget, Spadafora & Schwartzberg, LLP (Russell & Russell LLC, et al.) Respondent - Owen A. Kloter, Esq. Sichenzia Ross Ference LLP (Fifth West Insurance & Investments, LLC, et al.)	10 5 5 5
(6)	532647	DAIRE v STERLING INS. CO. Appellant - Ronald R. Benjamin, Esq. Respondent - Peter W. Knych, Esq. Knych & Whritenour, LLC (Sterling Insurance Company)	SUB 10
(7)	532898	HAWVER v STEELE Appellant - David L. Steinberg, Esq. McCabe, Coleman, Ventosa & Patterson PLLC (Scott A. Hawver, et al.) Respondent - Nicholas Tarkazikis, Esq. McCabe & Mack, LLP (Laura T. Steele)	10 10
(8)		REMOVED	

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Calendar No.	Case No.	Title	Time Allocated
(9)	531284	MATTER OF APPLE INC. v NEW YORK STATE TAX APPEALS TRIBUNAL <i>Petitioner</i> - Karen Lin, Esq. McDermott Will & Emery, LLP (Apple Inc.) <i>Respondent</i> - Brian D. Ginsberg, Esq. AG Letitia James (New York State Department of Tax & Finance)	10 10
(10)	530819	MATTER OF DEVIN W. v JESSICA X.	SUB
(11)	533073	MATTER OF DAVID VV. v ALISON YY.	SUB
(12)	533252	MATTER OF GENEVA WORLDWIDE, INC.	SUB
(13)	112779	PEOPLE v MESSIAH POMPEY	SUB
(14)	112085	PEOPLE v JONATHAN J. SANDERS	SUB
(15)	532985	MATTER OF IPPOLITO v NEW YORK CITY TRANSIT AUTH.	SUB